

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

UNITED STATES,  
Plaintiff,

VS.

DANISH SALEEM,  
Defendant,

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NO. 4:11-cr-237

**MOTION FOR CONTINUANCE**

Defendant Danish Saleem respectfully requests this court continue the currently scheduled Final Pre-trial Conference scheduled on August 6, 2012, for the reasons contained in the attached memorandum.

Respectfully submitted,

BY: /s/.  
**THOMAS R. COX III**  
State Bar No. 04956487  
2603 Oak Lawn Ave., Suite 230  
Dallas, Texas 75219  
214-526-5600 - Telephone  
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**ATTORNEY FOR DEFENDANT**

**MEMORANDUM**

Defendant Saleem filed his First Motion to Compel Discovery on June 21, 2012, and the government responded on July 16, 2012. The Motion to Compel was heard and ruled upon today August 1<sup>st</sup>, 2012. Given that the Magistrate-Judge has now resolved the disputed discovery matter in this case, Defendant is prepared to begin the forensic investigation of the materials in the government's possession. However, given that the pre-trial is set just 5 days from now, Defendant feels that additional time is needed in order to begin the forensic analysis, so that Defendant can properly inform the Court as to how much preparation time is needed for trial.

Defendant notes that the deadline, per local rule, for filing motions for continuance was yesterday, July 31. Defendant requests leave of Court to file this out-of-time motion, because today's ruling of Defendant's Motion to Compel Discovery was needed in order to determine whether a pre-trial hearing would be beneficial at this time. Now that the Magistrate-Judge has ruled on said Motion, Defendant submits that it is too early for a pre-trial hearing, and that a 30 day continuance would allow for this forensic evaluation to be conducted, or at least begun, which would allow for a more thoroughly-informed pre-trial hearing.

The United States Attorney's Office has indicated verbally to co-counsel that she does not object to the granting of this motion.

Respectfully submitted,

BY: /s/.  
**THOMAS R. COX III**  
State Bar No. 04956487  
2603 Oak Lawn Ave., Suite 230  
Dallas, Texas 75219  
214-526-5600 - Telephone  
214-520-1320 - Facsimile  
**ATTORNEY FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 1<sup>st</sup> day of August, 2012, I electronically filed the foregoing document with the clerk for the U. S. District Court, Eastern District of Texas, Sherman Division, using the electronic filing system, of the court.

/s/  
**THOMAS R. COX III**

**CERTIFICATE OF CONFERENCE**

I certify that on the 1st day of August, 2012, co-counsel Dean Boland for the defendant, informed the undersigned that he had conferred with Amanda Griffith, Assistant United States Attorney, who does not oppose this motion.

/s/  
**THOMAS R. COX III**